

REMARKS

The present application, USSN 09/909,684, filed July 20, 2001, was allowed in the Notice of Allowance date June 13, 2003. In reviewing the application prior to paying the issue fee, it was observed that the nomenclature used to name the compound of formula I was incorrect.

Applicant inadvertently corrected the stereochemistry indication from (1S,2S) to read (1S,2R) in the preliminary amendment dated September 12, 2003. Applicant has now realized the correct nomenclature should read (3S,2R).

In particular, throughout the application the name was incorrectly stated as (1S,2S)-1-halo-2-hydroxy-3- (protected) amino-4-substituted butanes. Based on the stereochemistry shown in formula I, the correct name is (3S,2R)-1-halo-2-hydroxy-3- (protected) amino-4-substituted butanes. Stated another way, the stereochemistry was incorrectly recited as 1S,2S instead of 3S,2R.

Formula I (e.g. page 4 of specification) clearly shows the first bond (indicated by the bold line) extending in one direction from the plane and the second bond (indicated by the dashed line) extending in the opposite direction from the plane. Formula II (e.g. page 6 of specification) has only one point of stereochemistry which is represented by the bold line. As noted on amended page 8, lines 14-15 of the specification, formula II is correctly named (3S)-1-halo-2-oxo-3- (protected) amino-4-substituted butanes. Accordingly, the bond in the second point of stereochemistry of formula I is correctly designated on "R" configuration since it extends from the plane in the opposite direction from the first bond which is designated as "S" configuration from formula II. Thus, the correct description for the stereochemistry in formula I is 3S,2R.

Accordingly, by this Amendment, the specification, claims and abstract have been amended in order to recite the correct name of the compound represented by formula I,

i.e. (3S,2R)-1-halo-2-hydroxy-3- (protected) amino-4-substituted butanes. These amendments are supported by the structures of formula I and formula II.

In addition, the specification and claims have been amended to incorporate amendments made in the prosecution of the allowed parent application.

In particular, the specification has been amended on page 6, lines 23-24 to recite the serial number of the copending application rather than "Docket GY55".

Also, claim 1 has been amended to correct a clerical error in the Markush language.

Claim 10 has been amended in order to recite that the inducer is effective to initiate or enhance the reduction (supported on page 9, lines 29-31).

Claim 14 and 15 has been cancelled by this Amendment.

Claim 16 (dependent from claim 10) has been added to recite that the inducer is a 1-halo-2-oxo-3- (protected) amino-4-substituted butane represented by formula 11 (supported on page 9, line 31 to page 10, line 2).


The specification has also been amended on page 1 to refer to parent application USSN 09/909,684.

An early and favorable Office Action is respectfully solicited.

The Commissioner is hereby authorized to charge any additional fees that may be required with filing this Preliminary Amendment to Deposit Account 19-3880 in the name of Bristol-Myers Squibb Company. A additional copy of this paper is enclosed herewith.

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Respectfully submitted,


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